

EXHIBIT D

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMILIO MARRERO GARCIA,

Crim. No. 98-199 (SEC)

Defendant.

JESSICA RODRIGUEZ LUGO,

Third Party Claimant.

AMENDED FINAL ORDER OF FORFEITURE

WHEREAS, on March 31, 1999, this Court, in accordance with 18 U.S.C. §§ 982 and 1956, and Rule 32 of the Federal Rules of Criminal Procedure, entered an Order of Forfeiture pursuant to a Plea and Forfeiture Agreement entered into by defendants Emilio Marrero García and Zoraida Rivera Rivera (the "defendants") and the United States of America;

AND WHEREAS on April 21, 24, and 28, 1999, notice of the United States' intent to forfeit the property described below was published in a newspaper of daily circulation in Puerto Rico advising third parties of their right to petition the Court within thirty days of publication for a hearing to adjudicate the validity of their alleged legal interest over said property;

AND WHEREAS on August 6, 1999, the United States allowed Jessica Rodriguez Lugo to file a third party claim pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853 (n).

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AND WHEREAS it appears from the record that no other third party claims have been filed and any future claims would be time-barred;

AND WHEREAS the United States and third party claimant Jessica Rodriguez Lugo entered into a stipulation, whereby her claims were duly addressed to the satisfaction of both parties and Final Order of Forfeiture was entered accordingly on July 9, 2002;

AND WHEREAS the United States now moves this Honorable Court for an amendment to the aforementioned final order inasmuch as the property registry description of one of the properties therein was incorrect;

Now, therefore, on the United States' request for an Amended Final Order of Forfeiture, it is hereby ORDERED, ADJUDGED, AND DECREED:

1. That all right, title and interest in the following properties is hereby condemned and forfeited to the United States:

B) ONE RURAL LOT #11,707, LOCATED AT TIERRAS NUEVAS WARD, MANATI, PUERTO RICO, MORE FULLY DESCRIBED AT PROPERTY REGISTRY OF PUERTO RICO AS FOLLOWS:

RUSTICA: Predio de terreno en el Barrio Tierras Nuevas Salientes de Manatí, Puerto Rico, con una cabida superficial de 0.923 cuerdas, equivalentes a 3,628.43 metros cuadrados, en lindes por el Norte, en 69.67 metros, con remanente de la finca, antes, hoy, Manuel Matías; por el Oeste, en 64.91 metros, con el remanente de la finca principal; por el Sur, con la finca denominada "A" en el plano para futuro ensanche de la carretera 685 en dos alineaciones de 42.86 metros y 11.70 metros, respectivamente y por el Este, con la misma faja denominada "A" para futuro ensanche de la carretera #658 en tres alineaciones de 11.60 metros; 35.21 metros y 6.50 metros respectivamente.

ENCLAVA: Una casa

ORIGEN: Se segrega de la finca #1782 inscrita al folio 232 del tomo 24 de Manatí.

PROPIETARIO REGISTRAL: Zoraida Rivera Rivera, mayor de edad, soltera, quien adquirió por compra a los esposos Daniel Castro Rivera y Ramona Natal Maldonado, por precio de \$135,000.00. Según escritura #32, otorgada en San Juan, el 16 de diciembre de 1994, ante Carmen L. Rivera Mercado, inscrita al folio 284 de Manatí inscripción 7ma y Ultima.

This property is inscribed in page 280, volume 286 at the Property Registry of Manatí; property no. 11,707.

This property is encumbered by the following liens:

A mortgage note in favor of the Bearer, in the amount of \$200,000.00.

C) ONE RURAL LOT #18,126, LOCATED AT CAMPO ALEGRE WARD, HATILLO, PUERTO RICO, MORE FULLY DESCRIBED AT PROPERTY REGISTRY OF PUERTO RICO AS FOLLOWS:

RUSTICA: Radicada en el Barrio Campo Alegre del término municipal de Hatillo, Puerto Rico, con cabida superficial de 4.4131 cuerdas, equivalentes a 17,345.302 metros cuadrados; en lindes por el Norte, con Isabel Rivera; por el Sur, con la carretera estatal 129; por el Este, con solar #3; y por el Oeste, con Carmen Ramos y Gonzalo García antes, Agustín Romero.

Es el resto de esta finca descrito el 26 de enero de 1993, luego de deducidas segregaciones al margen de: 1,891.2112 mc.-Solar 3 y reservados los Solares 1 y 2 de 1,939.4372 mc. y 1,940.3409 mc., así como faja de terrenos de 221.6735 mc. para uso público; inscritas a los folios 245, 20, 265 y 260 de los tomos 291, 295, 294 y 294 de Hatillo, (respectiva- mente); segregados los tres Ultimos mencionados el 20 de mayo de 1993.

This property is inscribed in page 260, volume 279 at the Property Registry of Arecibo, Section II; property no. 18,126.

This property is encumbered by the following liens:

A Bearer Note in the amount of \$23,000.00.

D) ONE RURAL LOT #18,808, LOCATED AT CAMPO ALEGRE

WARD, HATILLO, PUERTO RICO, MORE FULLY DESCRIBED AT THE PROPERTY REGISTRY OF PUERTO RICO AS FOLLOWS:

RUSTICA: Solar marcado con el #3 en el plano de inscripción radicado en el Barrio Campo Alegre del término municipal de Hatillo, Puerto Rico con cabida superficial de 1,891.2112 metros cuadrados. Lindes por el Norte, con remanente de la finca principal; por el Sur con faja de terreno dedicada a uso público; por el Este, con Solar #2; y por el Oeste, con remanente de la finca principal.

Se segrega de la finca #18,126 inscrita al folio 260 del tomo 279 de Hatillo, a favor de Jimmy Vélez Martínez y Rosa Vázquez Soto, ambos solteros, en común pro indiviso.

This property is inscribed in page 245, volume 291 at the Property Registry of Arecibo, Section II; property no. 18,808.

This property is free of liens.

2. That the United States will release the following property to third party

claimant Jessica Rodriguez Lugo:

A) ONE RURAL LOT #4,781, LOCATED AT CALLEJONES WARD, LARES, PUERTO RICO, MORE FULLY DESCRIBED AT THE PROPERTY REGISTRY OF PUERTO RICO AS FOLLOWS:

RUSTICA: Remanente de finca radicado en el Barrio Callejones del término municipal de Lares, Puerto Rico, con una cabida superficial de 13,532.73 metros cuadrados, equivalentes a 3.4431 cuerdas, con lindes al Norte, con Rosa Milagros Pagán Vélez hoy con Miguel Pagán; al Sur, con predio propiedad hoy de Jorge Acevedo; al Este, con la carretera #454 y al Oeste antes, con terrenos de Puerto Rico Reconstruction Administration hoy Rufino Santiago.

Se segrega de la finca #1,676, inscrita al folio 187 del tomo 72 de Lares.

This property is inscribed in page 151, volume 87 at the Property Registry of San Sebastián, Puerto Rico; property no. 4,781.

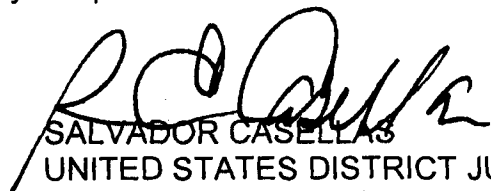
This property is free of liens.

3. That any and all income derived from the Internal Revenue Service's management of the properties forfeited herein, and the proceeds derived from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the forfeiture, sale, and disposition of the forfeited property, shall be deposited forthwith by the Internal Revenue Service into the Department of the Treasury in accordance with 28 U.S.C. § 524 (c) and 18 U.S.C. § 982.

4. That the Property Registrar for the Commonwealth of Puerto Rico shall register the properties forfeited herein in the name of the United States, free and clear of any and all liens. The Property Registrar is further ordered to lift and/or cancel any cautionary notice placed on the property being released to third party claimant Jessica Rodriguez Lugo.

5. That all other terms and conditions of the Stipulation entered into between the United States and third party claimant Jessica Rodriguez Lugo are incorporated herein as if fully stated and shall be made part of this Amended Final Order of Forfeiture.

SO ORDERED on this 7 day of April 2003.


SALVADOR CASELLAS
UNITED STATES DISTRICT JUDGE